

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DARIUS ROSE,

Defendant.

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Case No. 4:15CR525 RLW

MEMORANDUM AND ORDER

This matter is before the Court on the Order and Recommendation of United States Magistrate Judge David D. Noce (ECF No. 60). Defendant Rose filed an Oral Motion to Suppress (ECF No. 30) and Motion to Suppress Identification (ECF No. 50). The United States filed an oral motion for a determination by the Court of the admissibility of any arguably suppressible evidence. (ECF No. 31).

Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Noce, who filed an Order and Recommendation on March 14, 2016. (ECF No. 60). Defendant Rose filed objections to the Order and Recommendation of the United States Magistrate Judge on March 28, 2016 (ECF No. 62). Defendant Rose summarily states that he objects to the findings of fact and several conclusions drawn by Magistrate Judge Noce, but fails to provide any countervailing rationale for his position. The Court finds that Defendant Rose's objections are not persuasive.

The Magistrate Judge recommends that the motions of Defendant Rose to suppress evidence and to suppress identification evidence (ECF Nos. 30, 50) be denied. The Magistrate Judge also recommends that the motion of the United States for a determination by the Court of the

admissibility of arguably suppressible evidence (ECF No 31) be denied as moot. After de novo review of this matter, this Court adopts the Magistrate Judge's recommendations.


Accordingly,

IT IS HEREBY ORDERED that the Order and Recommendation of United States Magistrate (ECF No. 60) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that Defendant's Oral Motion to Suppress (ECF No. 30) and Motion to Suppress Identification (ECF No. 50) are **DENIED**.

IT IS FINALLY ORDERED that the United States' oral motion for a determination by the Court of the admissibility of any arguably suppressible evidence (ECF No. 31) is **DENIED** as moot.

Dated this 29th day of March, 2016.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE